

Permitting and Assistance Branch Staff Report
New Minor Waste Tire Facility Permit for
Lorenzo's Tire Disposal
TPID No. 1758798
October 23, 2013

Background Information and Analysis:

This report was developed in response to a New Minor Waste Tire Facility Permit (WTFP) application received from the owner and operator of Lorenzo's Tire Disposal, located at 360 West Commercial Avenue, in the City of El Centro (Imperial County). Lorenzo's Tire Disposal proposes to operate on 3.0 acres with an existing warehouse located within a Light Manufacturing (ML) zone. Tires will be stored outdoors only.

An application for a Minor WTFP was received by Permitting and Assistance Branch staff on July 17, 2013 and accepted as complete on August 14, 2013. Pursuant to Title 14, California Code of Regulations (14 CCR), Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete to either issue or deny the issuance of a Minor WTFP. CalRecycle is required to act by February 10, 2014.

Findings:

Staff recommends approval of the issuance of the proposed Minor WTFP. All of the required submittals and findings required by 14 CCR Section 18431 have been met to support issuance. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

The following table summarizes staff's findings relative to the permit application:

	Findings	
Compliance with Tire Storage Standards, 14 CCR Sections 17350-17356	Staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on August 12, 2013, and no violations were cited. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR Sections 18431(a) through (f)	All application forms were accepted by Permitting and Assistance Branch staff as complete on August 14, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR Section 18431(h)	<i>Local Vector Control:</i> A vector control inspection from a private licensed inspector was completed with a satisfactory finding on June 6, 2013. <i>Local Fire Authority:</i> The City of El Centro Fire Department (Fire Chief Kenneth Herbert) approved the fire prevention measures for outdoor tire storage on May 28, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Minor WTFP is statutorily exempt from the requirements of CEQA. See additional CEQA information below in the Environmental Analysis section.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Reviewed by: CalRecycle Legal Office	October 22, 2013	
Waste Evaluation and Enforcement Branch	August 21, 2013	

Compliance History:

Staff of the WEEB and the Permitting and Assistance Branch conducted a pre-permit inspection on August 12, 2013, and found the facility to be in compliance with applicable state minimum standards.

Environmental Analysis:

Under the California Environmental Quality Act (CEQA), CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Minor WTFP before CalRecycle issues that permit. In this case, CalRecycle is a lead agency under CEQA and must make a determination as to whether this proposed WTFP is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed WTFP is considered to be a project under CEQA [CEQA Guidelines 15378(a)(3)] and the facility is required to obtain a WTFP pursuant to 14 CCR Section 18420, for the storage of up to 4,999 waste tires.

The City of El Centro issued a Business License on May 14, 2013. The Business License allows for Lorenzo's Tire Disposal to receive, shred and haul tires. The Business License application contains signatures that verify the proposed facility is consistent with the City of El Centro's zoning designation and General Plan.

Staff prepared a Preliminary Review to determine whether a Categorical or Statutory Exemption is adequate for CalRecycle's approval of this Minor WTFP. The Preliminary Review indicates that the proposed project:

- Involves the operation of a facility within the permitted land use;
- Involves no expansion of use beyond that existing at the time of permit issuance;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination that a Statutory Exemption: General Rule Exemption, 14 CCR Section 15061(b)(3), is appropriate for CalRecycle's issuance of this proposed Minor WTFP. Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the General Rule Exemption, to be filed with the State Clearinghouse after CalRecycle's issuance of the Minor WTFP, in that the activity is not subject to further CEQA review. Furthermore, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the General Rule Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Minor WTFP and all of its components and supporting documentation, this staff report, the Notice of Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The

custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comment

Department staff provided an opportunity for public comment during CalRecycle's Monthly Public Meeting on September 17, 2013 and October 15, 2013. No public comments have been received by CalRecycle staff.

Attachment: Minor WTFP